



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 21 2013

OFFICE OF
ADMINISTRATION
AND RESOURCES
MANAGEMENT

Robin Lynch
Outbound FOIA
9208 Brentsville Road
Manassas, Virginia 20112

Reference: Freedom of Information Act Request Number EPA-HQ-2013-009022

Dear Ms. Lynch:

This letter is in response to your electronic (e-mail) Freedom of Information Act (FOIA) request dated August 12, 2013, and is prepared in accordance with the FOIA.

You requested a copy of all proposals submitted in response to Request for Proposal (RFP) PR-CI-08-10214, which resulted in the award of Contract EP-C-09-027, awarded to Arcadis U.S., Inc. Your request for a copy of all proposals submitted in response to the above-mentioned RFP is denied. Pursuant to Title 5 U.S. Code § 552(b) (3), the withheld inform is exempted from disclosure by another Federal statute, which has been enacted by Congress, and therefore is also exempt from disclosure under FOIA. For your convenience, I have enclosed a copy of Public Law 104-201.

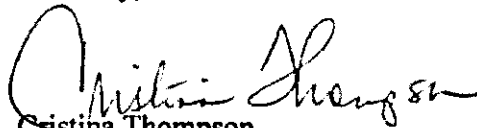
The Environmental Protection Agency notified the winning offer Arcadis U.S., Inc., concerning their claim of business confidentiality for the proposal. The contractor was informed of their right to seek judicial action regarding the release of portions of their proposals that were claimed as confidential business information but were not entitled to confidential treatment. The title pages, table of contents, acknowledgement Request for Proposal (RFP) and RFP amendments 1 through 3, Representations and Certifications, and other statement offers (**with the exception of the name of contractor key personnel**), are not entitled to confidential treatment. The contractor was also informed that all other portions of their proposals are entitled to confidential treatment and would not be released. The contractor chose not to take any such action.

Consequently, I am enclosing a redacted copy the title pages, table of contents, acknowledgement Request for Proposal (RFP) and RFP amendments 1 through 3, Representations and Certifications, and other statement offers (**with the exception of the name of contractor key personnel**), which are not entitled to confidential treatment.

As noted above, the information withheld under Exemption 4 will be sent to the appropriate legal office to issue a final confidentiality determination. Therefore, you do not need to appeal the information withheld pursuant to Exemption 4. Once the legal office issues a final confidentiality determination, EPA will notify you whether the information qualifies for confidential treatment or may be released. To the extent you would like to appeal any other issue, including any non-Exemption 4 withholdings, you may appeal this **partial denial** response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J; Washington, D.C. 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should clearly identify the determination being appealed, including the assigned FOIA request number shown above. For quickest possible handling, the appeal letter and its envelope should be marked "**Freedom of Information Act Appeal.**"

There is no charge for this service because the fee, otherwise chargeable does not exceed fourteen. Should there be any questions regarding this response, please do not hesitate to contact Mildred A. Jackson at (202) 564-4359 or via e-mail jackson.mildred@epa.gov and reference for identification purposes **EPA-HQ-2013-009022**.

Sincerely,


Cristina Thompson
Director
Cincinnati Procurement Operations
Division (CPOD-NORWOOD)

Enclosures